UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,222	09/19/2001	Richard Brown	1509-220	8293

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER
DINH, KHANH Q

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	09/955,222	BROWN ET AL.
	Examiner	**Art Unit**
	Khanh Dinh	2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 November 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This is in response to the Amendment and Remarks filed on 11/14/2005. Claims

1-16 and new claims 17-21 are presented for examination.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and

distinctly claiming the subject matter which the applicant regards as his invention.

The term, "substantially" in claims 1, 10, 11, 13, 15 and 16, is a relative term

which render the claim indefinite. The term "substantially" is not defined by the claim,

the specification does not provide a standard for ascertaining the requisite degree, and

one of ordinary skill in the art would not be reasonably apprised of the scope of the

invention.

Claim Objections

3.   Claim 11 is objected to because of the following informalities: There is unclear

meaning by the term "communicate respond". For examination purpose, Examiner

assumes the term to be "communicate to respond".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the

various claims was commonly owned at the time any inventions covered therein were

made absent any evidence to the contrary. Applicant is advised of the obligation under

37 CFR 1.56 to point out the inventor and invention dates of each claim that was not

commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Spies et al., US pat. No.5,689,565 in view of Scheidt et al., US pat. No.6,754,820.

As to claim 1, Spies discloses a credential transfer method for use on a distributed

electronic network, the method comprising the steps of a user causing a sender

(participant 22a fig.1) communicating to a recipient (Participant 22b fig.1) a credential

index comprising an index referring to at least one credential (sending and exchanging

users' credential information), the index including user-provided information about the

credential by selecting at least one of the credentials from the index of at least one

credential provided by the sender (see fig.1, abstract, col.5 line 21 to col.6 line 24 and

col.10 lines 10-65), the recipient (22a fig.1) communicating to the sender (22b fig.1) an

indication of the selected at least one credential and the sender providing to the

recipient at least one credential corresponding to the selected at least one credential

(providing secure and credential information between participants, see also fig.2, col.6

line 36 to col.7 line 28 and col.10 lines 10-65).

Spies does not specifically disclose an index further comprising credential information

differing substantially from the credential such that the credential is not disclosed by the

index. However, Scheidt discloses an index further comprising credential information

differing substantially from the credential (credential that restrict access) such that the

credential is not disclosed by the index (using selecting "Secret" from the security level

category as a credential during encryption would limit readership of the encrypted object

to those who have read access to the "Secret" credential, see fig.3, col.5 line 31 to col.6

line 58 and col.10 lines 10-65). It would have been obvious to one of the ordinary skill

in the art at the time the invention was made to implement Scheidt's secrete credentials

into the computer system of Spies to restrict accesses to data information because it

would have provided sensitivity level or multiple-level access control such that access to

credentials id dependant on the method of member identification and enforced domain

authority dictated policies for multiple-level access control by credential category.

As to claim 2, Spies discloses the recipient is a service provider responding to the credential index by determining whether the at least one credential is sufficient for the recipient to provide a service to the sender and the recipient communicating the result of the determination to the sender (see fig.2, col.7 line 17 to col.8 line 28 and col.22 lines 10-64).

As to claim 3, Spies discloses the recipient responding to the credential index by determining a service level according to the at least one credential indexed in the credential index and the recipient communicating the service level to the sender (using a certified trusted authority 26 fig.1 to process participant data information, see col.1 line 17 to col.8 line 28 and col.25 line 7 to col.26 line 41).

As to claim 4, Spies discloses that the sender communicates a plurality of credential indices to the recipient, the number of credential indices exceeding the number of credentials (credential index, see fig.17, col.7 line 17 to col.8 line 28, col.10 lines 10-65 and col.26 lines 14-65).

As to claim 5, Spies discloses the recipient responding to the credential index by determining a service level according to each of the plurality of credential indices communicated to the recipient by the sender and communicating the service level (trusted level) corresponding to at least one of the credential indices to the sender (col.6 line 36 to col.7 line 45 and col.8 lines 10-56).

As to claim 6, Spies discloses that the recipient communicates a service level to the sender for each credential index communicated to the recipient by the sender (see fig.6, col.6 line 36 to col.7 line 45 and col.12 lines 1-59).

As to claims 7-9, Spies discloses that the credential comprising a digital credential, indices to a plurality of credentials and the sender selecting a credential index from a plurality of available credential indices (see fig.4, col.6 line 36 to col.7 line 45, col.12 lines 1-59 and col.22 lines 10-63).

As to claim 10, Spies discloses a method of providing a service over a distributed electronic network, comprising:

a user (22a fig.1) communicating to a service authorizer (credential binding server 26 fig.1) a credential index comprising an index referring to at least one user-provided credential about the credential and the service authorizer (26 fig.1) responding to the index communicated by the user by selecting at least one of the credentials from the index of at least one credential provided by the user (22a fig.1) (sending and exchanging credential information, see fig.1, abstract, col.5 line 21 to col.6 line 24).

the service authorizer responding to the index communicated by the user by communicating to the user an indication of the selected at least one credential and the user responding to the indication of selected at least one credential by providing to the service authorizer at least one credential corresponding to the selected at least one

credential and the service authorizer responding to the at least one credential

corresponding to the selected at least one credential provided to the user (providing

secure and credential information between participants, see also fig.2, col.6 line 36 to

col.7 line 28, col.10 lines 10-65 and col.11 line 22 to col.12 line 63) by determining

whether the at least one credential provided by the user is sufficient for a service to be

authorized to be sent by the user, in response to the determination is positive, the

service authorizer authorizing provision of the service to the user (checking and

verifying the digital signatures/trusted authority of users, if good, then the first party can

confirm services can be sent involving the bank, see col.24 line 14 to col.25 line 19) in

response to the determination being negative (not sufficient funds), the service

authorizer taking some other action (returning an authorization response over the

network to the acquirer, see col.25 lines 20-53).

Spies does not specifically disclose an index further comprising credential information

differing substantially from the credential such that the credential is not disclosed by the

index. However, Scheidt discloses an index further comprising credential information

differing substantially from the credential (credential that restrict access) such that the

credential is not disclosed by the index (using selecting "secret" from the security level

category as a credential during encryption would limit readership of the encrypted object

to those who have read access to the "secret" credential, see fig.3, col.5 line 31 to col.6

line 58 and col.10 lines 10-65). It would have been obvious to one of the ordinary skill

in the art at the time the invention was made to implement Scheidt's secrete credentials

into the computer system of Spies to restrict accesses to data information because it

would have provided sensitivity level or multiple-level access control such that access to credentials id dependant on the method of member identification and enforced domain authority dictated policies for multiple-level access control by credential category.

As to claim 11, Spies discloses a computer readable memory configured so that it can be used to direct a computer of a user to:

communicate respond to the recipient (22a fig.1) a credential index comprising an index referring to at least one user provided credential and receive from the recipient an indication of at least one credential selected by the recipient from the index (sending and exchanging credential information between users, see fig.1, abstract, col.5 line 21 to col.6 line 24 and col.10 lines 10-65).

provide to the recipient (22a fig.1) at least one credential corresponding to the selected at least one credential (providing secure and credential information between participants, see also fig.2, col.6 line 36 to col.7 line 28).

Spies does not specifically disclose an index further comprising credential information differing substantially from the credential such that the credential is not disclosed by the index. However, Scheidt discloses an index further comprising credential information differing substantially from the credential (credential that restrict access) such that the credential is not disclosed by the index (using selecting "Secret" from the security level category as a credential during encryption would limit readership of the encrypted object to those who have read access to the "Secret" credential, see fig.3, col.5 line 31 to col.6 line 58 and col.10 lines 10-65). It would have been obvious to one of the ordinary skill

in the art at the time the invention was made to implement Scheidt's secrete credentials

into the computer system of Spies to restrict accesses to data information because it

would have provided sensitivity level or multiple-level access control such that access to

credentials id dependant on the method of member identification and enforced domain

authority dictated policies for multiple-level access control by credential category.

As to claim 12, Spies discloses a computer readable memory configured so that

can be used to direct a computer of a service authorizer service to:

receive from a sender (22b fig.1) a credential index comprising an index referring

to at least one credential and select from the index received from the sender at least

one credential (sending and exchanging credential information between users, see fig.1,

abstract, col.5 line 21 to col.6 line 24 and col.10 lines 10-65).

enable an action on receipt said at least one credential from the sender

(providing secure and credential information between participants, see also fig.2, col.6

line 36 to col.7 line 28).

Spies does not specifically disclose an index further comprising credential information

differing substantially from the credential such that the credential is not disclosed by the

index. However, Scheidt discloses an index further comprising credential information

differing substantially from the credential (credential that restrict access) such that the

credential is not disclosed by the index (using selecting "Secret" from the security level

category as a credential during encryption would limit readership of the encrypted object

to those who have read access to the "Secret" credential, see fig.3, col.5 line 31 to col.6

line 58 and col.10 lines 10-65). It would have been obvious to one of the ordinary skill

in the art at the time the invention was made to implement Scheidt's secrete credentials

into the computer system of Spies to restrict accesses to data information because it

would have provided sensitivity level or multiple-level access control such that access to

credentials id dependant on the method of member identification and enforced domain

authority dictated policies for multiple-level access control by credential category.

As to claim 13, Spies discloses a processor for generating a digital credential index, the

index comprising a data structure for providing an index to at least one user provided

credential (sending and exchanging credential information, see fig.1, abstract, col.5 line

21 to col.6 line 24), whereby at least one credential can be selected on the basis of

information provided within the data structure (providing secure and credential

information between participants, see also fig.2, col.6 line 36 to col.7 line 28 and col.10

lines 10-65).

Spies does not specifically disclose an index further comprising credential information

differing substantially from the credential such that the credential is not disclosed by the

index. However, Scheidt discloses an index further comprising credential information

differing substantially from the credential (credential that restrict access) such that the

credential is not disclosed by the index (using selecting "Secret" from the security level

category as a credential during encryption would limit readership of the encrypted object

to those who have read access to the "Secret" credential, see fig.3, col.5 line 31 to col.6

line 58 and col.10 lines 10-65). It would have been obvious to one of the ordinary skill

in the art at the time the invention was made to implement Scheidt's secrete credentials

into the computer system of Spies to restrict accesses to data information because it

would have provided sensitivity level or multiple-level access control such that access to

credentials dependant on the method of member identification and enforced domain

authority dictated policies for multiple-level access control by credential category.

As to claim 14, Spies discloses that the data structure provides indices to a plurality of

credentials the number of credential indices exceeding the number of credentials (using

credential index for different level of users, see fig.17, col.7 line 17 to col.8 line 28,

col.22 lines 10-63 and col.26 lines 14-65).

Claims 15 and 16 are rejected for the same reasons set forth in claims 11 and 12

respectively.

As to claims 17 and 20, Spies discloses in response to the recipient deciding that the

credentials offered in the credential index are not sufficient for the recipient to provide

the sender with the service, the recipient informs the sender to that effect and in

response to the recipient informing the sender of the insufficiency, the sender supplies a

new credential [checking and verifying the digital signatures/trusted authority of users, if

good, then the first party can confirm services can be sent involving the bank (see

col.24 line 14 to col.25 line 19); if not sufficient funds, returning an authorization

response over the network to the acquirer (see col.25 lines 20-53).

As to claims 18 and 19, Spies discloses in response to the recipient deciding that the

credentials offered in the credential index are not sufficient for the recipient to provide

the sender with the service, the recipient informs the sender to terminate the

communication with the recipient and in response to the determination being

negative, the other action taken includes information the user to that effect, the user

responding to the information that the determination is negative by (a) transmitting a

new credential independent to the service authorizer, or (b) terminating the

communication with the service authorizer (see col.24 line 14 to col.25 line 19 and

col.25 lines 20-53).

As to claim 21, Spies discloses in response to the determination being negative, the

other action taken including informing the user to that effect, the user responding to

the information that the determination is negative by (a) transmitting a new credential

index to the service authorizer, the computer beg programmed to receive the new

credential index and perform the same steps in response to receipt of the new

credential index as it performed in response to the earlier credential index (see col.24

line 14 to col.25 line 19 and col.25 lines 20-53).

Response to Arguments

6.   Applicant's arguments filed on 11/14/2005 have been fully considered but they

are not persuasive.

- Applicant asserts that why one of the ordinary skill in the art at to modify Spies

   with Scheidt.

In response to applicant's argument that why one of the ordinary skill in the art at to

modify Spies with Scheidt, the fact that applicant has recognized another advantage

which would flow naturally from following the suggestion of the prior art cannot be the

basis for patentability when the differences would otherwise be obvious. See Ex parte

Obiaya, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985). In this case, the motivation

that would have provided sensitivity level or multiple-level access control such that

access to credentials dependant on the method of member identification and enforced

domain authority dictated policies for multiple-level access control by credential

category (see Scheidt's col.2 lines 3-24).

- Applicant asserts that the Spies reference does not disclose a credential index.

   Examiner respectfully point out that Spies discloses a credential index by

   showing credential levels of user profiles for the purpose of validating users' access

   to data information. For example, Spies discloses the cid is the credential index,

   d.sub.c is the category, x.sub.c is the private key for the credential, y.sub.c is the

   public key for the credential and .lambda..sub.c is the MLA level defined for the

   credential by the domain authority (see col.7 line 14 to col.8 line 63 and col.10 lines

   10-65).

   Therefore, the examiner asserts that cited prior art teaches or suggests the

subject matter broadly recited in independent claims 1, 10, 11, 15 and 16. Claims 2-9,

12-14 are also rejected at least by virtue of their dependency on independent claims

and by other reasons set forth in the previous office action [see paper mailed on

7/13/2005]. Accordingly, claims 1-16 and new claims 17-21 are respectfully rejected.

Conclusion

6.   Claims 1-21 are rejected.

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh Dinh
Primary Examiner
Art Unit 2151
1/25/2006